RECORD OF DECISION

The Centers for Disease Control and Prevention (CDC) within the Department of Health and Human Services (HHS), in cooperation with the United States (U.S.) General Services Administration (GSA), has prepared and published a Final Environmental Impact Statement (EIS) for the following project:

Site Acquisition and Campus Consolidation for the Centers for Disease Control and Prevention/National Institute for Occupational Safety & Health (CDC/NIOSH) Cincinnati, Ohio.

The Final EIS was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) as amended, and the President's Council on Environmental Quality (CEQ)'s regulations implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508) to evaluate the potential environmental impacts that would result from the acquisition of approximately 15 acres of land in Cincinnati, Ohio and the development of this land into a new consolidated laboratory campus for CDC/NIOSH. This Record of Decision (ROD) documents CDC's decision with respect to the project. In making its decision, CDC carefully considered the conclusions of the Final EIS and the comments received from government agencies and the public during the preparation of the EIS. The Final EIS is incorporated by reference in this ROD.

Background

One of 12 operating divisions of the U.S. Department of Health and Human Services (HHS), CDC was established in 1946 with the mission of controlling malaria outbreaks, as well as generally safeguarding the health of the American public. Since its establishment, CDC has remained at the forefront of public health efforts to prevent and control infectious and chronic diseases, injuries, workplace hazards, disabilities, and environmental health threats.

In 1970, Congress passed the Occupational Safety and Health Act to promote workplace and worker safety. The Act's goal was to ensure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, and unsanitary conditions.

To fulfill the requirements of the Act, Congress created an enforcement branch, the Occupational Safety and Health Administration (OSHA), and a research branch, NIOSH. While OSHA – under the U.S. Department of Labor – is the main federal agency charged with the enforcement of safety and health legislation, NIOSH – administered by CDC – is responsible for conducting research and making recommendations for the prevention of work-related illnesses and injuries.

CDC/NIOSH has had offices in Cincinnati since its inception. With three existing campuses and approximately 550 employees, Cincinnati is the largest CDC/NIOSH location in the country.

Proposed Action

CDC is proposing to acquire an approximately 15-acre site (henceforth the Site) in Cincinnati, Ohio. The Site consists of several parcels bounded by Martin Luther King Drive East to the south, Harvey Avenue to the west, Ridgeway Avenue to the north, and Reading Road to the east, in the Avondale neighborhood of Cincinnati. The parcels comprising the Site are currently owned by the University of Cincinnati, the

Uptown Transportation Authority, LLC (an affiliate of the Uptown Consortium, Inc.), and the City of Cincinnati, with the exception of a single residential parcel, currently owned by another party. The Site also encompasses one public street, Hickman Avenue, which is included in the proposed acquisition.

The new campus would provide approximately 235,000 gross square feet of office, laboratory, and support space, and include several connected laboratory and administrative buildings as well as a transshipping/warehousing facility. The laboratory and office buildings would be two to four stories high. The buildings would be constructed in accordance with Leadership in Energy and Environmental Design (LEED) principles. The proposed new campus would also provide parking for approximately 600 vehicles in a four-level parking garage and surface parking lot. The entire campus would be fenced and occupied buildings would be set back from the nearest public street in accordance with applicable federal antiterrorism/force protection standards.

Vehicular access for employees would be via a gate off Reading Road, which would also be used by visitors. Most truck traffic to and from the proposed campus would be through the transshipping facility, accessed from Harvey Avenue. A secondary, guarded entry point for employees reaching the Site on foot or by bicycle would be provided along Martin Luther King Drive East. At this location, covered bicycle parking would be provided outside the gate but in view of the guard. Bicyclists could also access the campus via the main gate and park their bikes at a designated location adjacent to the surface parking lot reserved for persons with disabilities and car or van pools.

The proposed campus is anticipated to be completed and operational by 2021. Once construction is complete, approximately 550 NIOSH employees would relocate to the new campus from the three existing NIOSH campuses in Cincinnati. Activities conducted at the proposed new consolidated campus would be the same as those currently being conducted at the existing campuses. The new campus would have sufficient capacity to accommodate potential future agency growth (up to a total of 800 employees by 2030).

Purpose and Need

CDC intends to provide NIOSH with a modern, single consolidated facility that fully supports the agency's current and future research activities in Cincinnati; facilitates communication and fosters collaboration among NIOSH researchers; reduces maintenance costs; and provides for potential expansion to be able to respond to new and emerging occupational health and safety issues and challenges.

The proposed action is needed because NIOSH's existing Cincinnati facilities are obsolete and do not adequately support the needs of 21st-century scientific research. All four Taft North buildings are temporary metal structures that are now well beyond their functional lifespan. The Robert A. Taft and Alice Hamilton facilities were constructed in the 1950s. In spite of multiple renovations, these facilities are also past their useful lifespan. Although both buildings are well maintained, limited natural light, worn interior finishes, and obsolete furniture and equipment make for a substandard scientific work environment. Most importantly, in both buildings the laboratories are inefficiently configured and because of structural constraints, they cannot be reconfigured into the larger and more flexible spaces needed to properly support NIOSH's current and future research.

In addition, operating three separate campuses is not conducive to effective communication and collaboration among NIOSH scientists. The Robert A. Taft and Taft North campuses are separated from the Alice Hamilton Campus by approximately six miles. This separation of staff and facilities is an ongoing obstacle to effective collaboration among researchers. Currently, NIOSH must maintain duplicate systems for laboratory ventilation, laboratory gases, distilled water, and other essential laboratory features. Technicians and administrative support functions are duplicated because of the geographic separation. The lack of common work areas outside of the laboratories and severely limited conference space are also a problem. In addition, the Robert A. Taft and Alice Hamilton buildings do not provide the building security setbacks from the property line required by current federal standards.

Finally, maintaining multiple aging facilities results in duplicative, unnecessarily high administrative and maintenance costs, including staff costs; additional security costs; and inter-office travel costs. Such costs would be eliminated or substantially reduced by the construction of a single, modern and efficient facility.

Alternatives

CDC and GSA identified the Site being considered for acquisition and development through a rigorous search and screening process. After determining the amount and type of space needed to properly accommodate NIOSH's Cincinnati-based activities and employees, the agencies developed a set of Minimum Criteria that any potential site must meet. The Minimum Criteria specified that a suitable site must:

- Be 10 to 17 acres in size;
- Be located in Cincinnati within a specified "Delineated Area";
- Not be located in the 100-year floodplain; and,
- Have access to public utilities (e.g., electricity, water, and sanitary sewer).

A set of Additional Criteria were also defined to compare and rank sites that met the Minimum Criteria.

On June 30, 2016, GSA published a Request for Expressions of Interest (REOI) inviting persons or organizations to propose sites for consideration. REOI proposals were due before August 10, 2016. A total of seven sites were offered in response to the REOI. CDC and GSA evaluated the submitted sites based on the Minimum and Additional Criteria. Only one site – the Site being proposed for acquisition – was found to meet the Minimum Criteria.

Because the site selection process identified only one site meeting the Minimum Criteria, CDC retained only two alternatives for analysis in the Final EIS: the No Action Alternative and the Proposed Action Alternative.

- Under the No Action Alternative, CDC would not acquire property for the development of a new, consolidated campus. All Cincinnati-based activities and employees of NIOSH would remain at their current locations for the foreseeable future. Routine maintenance activities would continue as at present but no major renovation or expansion would occur.

- Under the Proposed Action Alternative, the proposed action as described above would be implemented.

Public Participation

CDC published a Notice of Intent (NOI) to prepare an EIS for this proposed action in the *Federal Register* on July 14, 2017. Public scoping was conducted from July 14 through August 14, 2017. CDC and GSA hosted a public scoping meeting in Cincinnati, Ohio on August 1, 2017. In response to the scoping effort, a total of 32 comments were received from government agencies, Native American tribes, and the general public.

The U.S. Environmental Protection Agency (EPA) and the City of Cincinnati Office of Environment and Sustainability provided general recommendations on the resources and issues that should be addressed in the EIS. The U.S. Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources provided comments on potential impacts to threatened, endangered, and rare species, expressing no concerns about the effects of the proposed action on such species or their habitat.

Four Native American tribes sent comments. All four expressed no concerns about the potential impacts of the proposed action on tribal resources or interests but requested to be consulted in case of archaeological discoveries made during the normal course of site excavation during construction of the new campus.

Twenty-four comments were submitted by the general public. Public comments focused on the following topics:

- General Opinion about the Project: Expressions of support substantially outnumbered expressions of opposition.
- Campus Design and Planning: Several comments consisted of recommendations or wishes pertaining to the design of the new campus, with a focus on sustainable or green construction.
- Employee Quality of Life: This category contained a mix of positive and negative comments, with the most commonly expressed concern pertaining to crime near the project site and its impact on employee safety. A few commenters expressed concerns about the lack of amenities (e.g., dining establishments). There were also several comments on workspace design and on-site amenities for employees commuting by bicycle (e.g., locker rooms, showers).
- Site Access: The preponderance of comments in this category pertained to connectivity and access by transit or bicycle. Commenters appeared generally satisfied with transit options.
- Relationship with and Impact on the Neighborhood: One local resident expressed concerns about the impact of the project on her ability to stay in her house; another person was worried about impacts on local businesses during construction. Several commenters expressed the opinion that the project would have a positive effect on the neighborhood.
- Historic Preservation: Two general comments pertained to this issue. Neither identified any specific property that would require special consideration.

The Draft EIS was made available for public review for 45 days, starting on February 9, 2018 and ending on March 26, 2018. The document was available online and at three local public libraries. On March 14, 2018, CDC and GSA hosted a public meeting to further inform the public about the findings of the Draft EIS and solicit comments.

Five government agencies commented on the Draft EIS:

- The EPA gave the document a "Lack of Objections" rating and submitted recommendations pertaining to environmental justice with regard to anticipated air quality and traffic impacts; and resiliency.
- USFWS confirmed its scoping comment that no adverse effects to federally listed or candidate species are anticipated and no further consultation is needed.
- The U.S. Army Corps of Engineers indicated that the proposed action would not require a permit under Section 404 of the Clean Water Act.
- The City of Cincinnati Department of Transportation and Engineering submitted several technical comments pertaining to the traffic impact analysis and potential impacts on the street network.
- The City of Cincinnati Department of City Planning recommended proceeding with a zoning change for the non-conforming parcels during the property assemblage by the land owners offering the property for sale for CDC's purchase for the project site per the REOI.

One federally recognized Native American tribe, the Delaware Nation, submitted a comment concurring with the proposed action and requesting to be kept informed of any unanticipated cultural discoveries.

Eight comments were received from members of the public, including representatives of non-governmental organizations. These comments pertained to the mission of CDC and the proposed action in general (support or opposition); the accessibility of the proposed campus site for bicyclists; historic buildings; traffic and air quality impacts; and the potential displacement of neighborhood residents.

All comments were considered when preparing the Final EIS. No comment required or called for substantive revisions to the analyses in the Draft EIS or to the alternatives considered.

Parallel with the development of the EIS, CDC, through its GSA partner, completed consultation with the Ohio Historic Preservation Office (OHPO) in accordance with Section 106 of the National Historic Preservation Act to assess the potential effects of the project on historic properties listed or eligible for listing in the National Register of Historic Places. OHPO concurred that the project would have no adverse effects on architectural historic properties and no adverse effects on archaeological resources with the implementation of an archaeological monitoring plan (see *Mitigation and Minimization Measures* below).

Environmental Consequences

The Final EIS analyzed the potential impacts of the alternatives on the following aspects of the environment: land use, zoning, and plans; community facilities; socioeconomics and environmental justice; utilities and infrastructure; visual quality; cultural resources; transportation; geology, topography, and soils; air quality; noise; and hazardous substances.

The following resources were not addressed in detail in the Final EIS as the alternatives had no potential to significantly affect them because of the urban and developed character of the Site considered for acquisition and development: biological resources (including threatened, endangered, and rare species); surface waters; wetlands; and floodplains.

No Action Alternative

Under the No Action Alternative, CDC would not acquire the Site. Existing conditions at the Site would remain as at present for the foreseeable future. This would have no impact on the resources considered in the Final EIS with one exception: over time, if the Site remains underdeveloped and underused as it currently is and the area around it undergoes the type of redevelopment outlined in the various plans that have been developed for Cincinnati's Uptown community, the Site may become an incompatible land use detracting from its surroundings. However, it is likely that the Site's owners would eventually develop or sell it for development. While the No Action Alternative may have an indirect adverse impact on land use, this adverse impact would be minor.

Proposed Action Alternative

Land Use, Zoning, and Plans

Acquisition and Construction

The acquisition and construction of the Site would have no impact on land use, zoning, or plans. Although federal acquisition of the Site would remove it from the zoning jurisdiction of the City of Cincinnati, this would only have a minor direct impact. CDC would develop the Site in accordance with applicable local building codes and design requirements as much as practicable. During the construction phase, the entirety of the Site would become an active construction area where demolition, excavation, grading, filling, paving, building, and similar activities would occur. While construction activities are not compatible with most surrounding land uses, they are temporary. After construction is complete, resulting construction impacts would cease.

Operation

The Proposed Action Alternative would have beneficial impacts on land use, zoning, and plans, as it would replace an under-developed, under-used, and unorganized site dominated by parking lots with an active campus more compatible with the surrounding neighborhood. Rezoning of the Site would support the development of the proposed facility and eliminate the potential for zoning incompatibilities. Similarly, the Proposed Action Alternative would support some of the goals and objectives of several nearby plans and projects.

Community Facilities

Acquisition and Construction

The Proposed Action Alternative is anticipated to have only minor, indirect construction-related adverse impacts on community facilities. Police and emergency services may experience a small increase in incidents requiring a response, and noise from construction may generate annoyance at a few nearby educational and religious facilities. There may be minor, indirect beneficial impacts on local commercial services from the patronage of construction workers. After construction is complete, these impacts would cease.

Operation

Operation of the proposed new NIOSH campus is not anticipated to have any measurable adverse impacts on community facilities. No public services would be at risk of having to meet a demand in excess of its capacity, resulting in deterioration of service. With regard to commercial services, impacts are anticipated to be beneficial due to an increased customer base.

Socioeconomics

Acquisition and Construction

The Proposed Action Alternative is anticipated to have no adverse impacts and beneficial direct and indirect socioeconomic impacts. The proposed action would involve the acquisition of the one remaining owner-occupied house on the Site. This is the only residential displacement that would occur in relation to the proposed action; it is expected that acquisition would be through mutual agreement and at fair market value. Therefore, the acquisition would not be an adverse impact. While construction activities would generate some annoyance from noise, dust, or traffic, these would be temporary and not likely to force residents to move out of the area or local business to temporarily or permanently close. After construction is complete, these impacts would cease.

Operation

The consolidation of NIOSH to the Site would not have a noticeable impact on local population levels and would not result in an influx of new residents that might exceed the area's capacity to accommodate them; a housing shortage or noticeable increases in rents would not be expected. The Proposed Action Alternative can be considered part of a general pattern of development that may lead to the gentrification of Avondale. However, by itself, the Proposed Action Alternative would have no potential to cause an influx of new residents to the neighborhood and would generally contribute to enhancing the area to the benefit of current and future residents.

The Site is located in an area of Cincinnati that qualifies as an environmental justice (EJ) community requiring consideration under Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations.* Some of the impacts from the Proposed Action Alternative (i.e., transportation, noise, and air quality impacts) have the potential to result in disproportionately high and adverse impacts on the members of this community residing on Ridgeway Avenue. The mitigation and minimization measures listed below would minimize impacts on the local EJ community.

Utilities and Infrastructure

Acquisition and Construction

The Proposed Action Alternative is anticipated to have construction-related minor direct adverse impacts on the electrical network, natural gas distribution network, and drinking water distribution network due to the need to remove or relocate existing lines. Construction activities would also result in minor direct adverse impacts on stormwater management from increased erosion and sedimentation during storm events. These impacts would be minimized through the implementation of appropriate erosion and sedimentation control measures, as well as compliance with permit requirements. Additionally, the Proposed Action Alternative would result in construction-related minor direct and indirect adverse impacts from the generation of debris that would have to be transported off site. The impact on local landfills would be minimized through recycling where possible. After construction is complete, these impacts would cease. The Proposed Action Alternative would have no construction-related impacts on wastewater service or communications systems.

Operation

The Proposed Action Alternative is anticipated to have operations-related minor direct adverse impacts on the electrical network and natural gas distribution network due to the need to upgrade the local distribution system. There would also be operations-related minor direct adverse impacts to the drinking water distribution network due to the need to relocate the local distribution system, including an existing 36-inch water main traversing the Site east to west, mid-block between Martin Luther King Drive East and Ridgeway Avenue.

Operations-related minor direct adverse impacts would also result from the need to upgrade the local sewer system to address increased generation of wastewater from the Site. If the needed infrastructure improvements are designed in coordination with Project Groundwork, there would be long-term beneficial impacts from separating sanitary and storm sewer infrastructure on the Site in anticipation of connection to the segregated system, if and when the City upgrades the system in the future. Similarly, direct and indirect operational impacts on stormwater management would likely be beneficial, as the new campus would increase the amount of pervious surface on the Site and incorporate Low Impact Development (LID) and green infrastructure features to further reduce the quantity and improve the quality of the runoff generated by the impervious areas of the proposed campus.

The relocation of NIOSH would have minor short-term indirect impacts on non-hazardous solid waste from an anticipated small increase of waste needing to be disposed of at the time of the move, and minor long-term indirect impacts from the potential increase in the NIOSH workforce. The Proposed Action Alternative would have no operations-related impacts on communications systems.

Visual Quality

Acquisition and Construction

The proposed action would have construction-related, minor direct and indirect adverse visual impacts on the Site and its immediate surroundings. Construction of the proposed consolidated NIOSH campus would turn the Site into a construction site for approximately two years. Construction sites in general detract from the appearance of an area, temporarily giving it a chaotic and quasi-industrial appearance.

However, large construction sites are not unusual in urban areas; their visual impacts are temporary. The proposed use of meshed fencing during construction would be anticipated to screen much of the Site from street-level view during most of the construction phase. After construction is complete, these impacts would cease.

Operation

In the longer term, direct and indirect visual impacts would be beneficial, as the proposed action would enhance the visual quality of the Site and would change, but not detract from, the surrounding view corridors. The proposed action would replace a visually disconnected, unorganized, and incohesive area into a distinctive, visually well-defined and cohesive campus.

Cultural Resources

Acquisition and Construction

The Proposed Action Alternative has the potential to result in construction-related significant, direct adverse impacts on archaeological resources if any are present on the Site. Mitigation measures to avoid, minimize, or mitigate this potential impact are described below. Construction activities are not anticipated to have any impacts on known or potential architectural resources. After construction is complete, these impacts would cease.

Operation

The Proposed Action Alternative would have no operational phase impacts on archaeological or architectural resources.

Transportation

Acquisition and Construction

The Proposed Action Alternative would have construction-related minor direct and indirect adverse impacts on public transportation and traffic due to the need to relocate up to three existing bus stops on Reading Road, potential delays resulting from lane closures along Reading Road and Martin Luther King Drive East, and potential additional congestion on roadways around the Site from construction trucks and equipment. Similarly, the Proposed Action Alternative would have construction-related direct adverse impacts on pedestrian and bicycle connectivity due to likely sidewalk and traffic lane closures and increased safety risks from potential conflicts with construction truck and equipment traffic. After construction is complete, these impacts would cease.

The Proposed Action Alternative may have construction-related minor direct and indirect impacts on parking availability as it would permanently eliminate approximately 600 parking spaces currently available on the Site and along Hickman Avenue; may temporarily cause some currently available street parking to be removed or rendered unusable; and might lead to competition for the remaining street parking between construction workers and area residents or visitors. However, all permanently eliminated parking would be replaced by the current land owners at another location; street parking is also largely available along the streets near the Site, minimizing the risk of shortage.

Operation

No adverse impacts on public transportation are anticipated during the operational phase. A modest increase in bus ridership is possible, particularly on Routes 43 and 24, which would represent an indirect beneficial impact. The Proposed Action Alternative would also have minor operational phase direct impacts on pedestrian and bicycle connectivity because of the permanent closure of Hickman Avenue. However, few to very few people would be affected, convenient alternative routes exist, and the loss of connectivity would be minimal.

During the operational phase, the Proposed Action Alternative would have minor adverse impacts on traffic operations on roadways near the Site due to increased traffic volumes on some streets and a redistribution of traffic across the network. The most substantial increase would be on Ridgeway Avenue in the afternoon (PM) peak hour, with an anticipated volume of 255 vehicles, compared to only 57 under the No Action Alternative.

In general, implementation of the Proposed Action Alternative would result in no significant adverse impacts on the transportation network. It would not cause any intersection to deteriorate to Level of Service (LOS) F, with one exception: the LOS of the unsignalized intersection of Reading Road with the western block of Ridgeway Avenue would change from E under the No Action Alternative to F in the morning (AM) peak hour. However, this would affect only a small number of left-turning vehicles (approximately 10) and, as such, would remain a localized impact. Mitigation measures to avoid, minimize, or mitigate this impact are described below. Excess queuing may occur at some intersections along Martin Luther King Drive East, but this could be addressed through minor adjustments to traffic signal coordination. The LOS analysis showed that this queuing would not lead to a significant deterioration of traffic operations in the study area.

There would be no impacts on parking during the operational phase.

Geology, Topography, and Soil Impacts

Acquisition and Construction

The Proposed Action Alternative would have minor, construction-related direct adverse impacts on the geological strata underlying the Site from the installation of foundation piles. There would be no construction phase impacts on radon exposure. The Proposed Action Alternative would also have construction-related minor direct adverse impacts on the topography of and soils at the Site from the extensive excavation and fill work required to build the proposed campus facilities. Most of the soils on the Site have previously been disturbed and no rare or valuable soils, including prime and unique farmland, would be affected. The removal of any contaminated soils prior to construction would be a beneficial impact.

The Proposed Action Alternative would have construction-related minor direct adverse impacts on groundwater from the potential need for dewatering and the potential temporary disturbance of groundwater flows and rate of recharge. These impacts would have no potential to threaten the sustainability of the underlying aquifers and would cease after construction is complete.

Operation

The Proposed Action Alternative would have no operational phase impacts on geology, radon exposure, topography, soils, or groundwater.

Air Quality

Acquisition and Construction

The Proposed Action Alternative would have minor construction-related, adverse indirect impacts on air quality from the emissions of air pollutants associated with construction activities. These emissions would be minor and well below the relevant regulatory thresholds. After construction is complete, these impacts would cease.

Operation

The operational phase of the Proposed Action Alternative would have minor adverse indirect impacts from pollutant emissions associated with boilers and generators. Anticipated emission levels would be well below the relevant regulatory thresholds, and the adverse impact would be minor. Because Hamilton County, where the Site is located, is a maintenance area for ozone under the Clean Air Act, a General Conformity Rule (GCR) applicability analysis was conducted for the Proposed Action Alternative. The analysis determined that annual emissions of criteria pollutants would be below the applicable *de minimis* thresholds; therefore, no formal GCR determination is needed.

Noise

Acquisition and Construction

The Proposed Action Alternative has the potential to result in significant, construction-related, direct adverse impacts on noise levels. Mitigation measures to avoid, minimize, or mitigate this potential impact are described below. After construction is complete, these impacts would cease.

Operation

There would be no operational phase impacts on noise. The proposed new NIOSH campus would not generate any noise that could noticeably increase ambient noise levels in the area. The primary source of noise associated with the proposed campus would be traffic to and from the facility. However, much of this traffic would just replace the traffic currently generated by the parking lots present on the Site.

Hazardous Substances

Acquisition and Construction

The Proposed Action Alternative would have potentially significant impacts if construction and demolition activities were conducted without further characterization of known or suspected contamination and other environmental hazards on the Site. Mitigation measures to avoid, minimize, or mitigate these potential impacts are described below. These measures would avoid these impacts by characterizing and properly removing and disposing of any contaminated materials or other environmental hazards in compliance with applicable laws and regulations. After mitigation, impacts would be beneficial.

Operation

The Proposed Action Alternative would have no operational phase impacts related to hazardous substances. NIOSH activities at the proposed new campus would remain the same as those currently conducted at the existing campuses. Operation of the new consolidated campus on the Site would not

require an increase in the amount of hazardous materials used by NIOSH or in the amount of hazardous waste produced. Operation of the proposed facility would not create a risk to human or environmental health and safety.

Cumulative Impacts

Construction and operation of the Proposed Action Alternative would make incremental contributions to the impacts, both adverse and beneficial, of past, present, and reasonably foreseeable future projects in the project area. These contributions would be small and would not cause any thresholds of significance to be reached, with one exception: the proposed action would significantly increase PM peak hour traffic volumes on Ridgeway Avenue during the operational phase, an impact that otherwise would not occur. The proposed action would also cause the intersection of Ridgeway Avenue and Reading Road to operate at LOS F in the AM peak, although this would affect very few vehicles. Mitigation measures for these adverse impacts are described below.

CDC's Decision

CDC's decision is to implement the Proposed Action Alternative with the mitigation and minimization measures described below.

Environmentally Preferable Alternative

Upon review and comparison of the potential impacts of the No Action Alternative and Proposed Action Alternative, CDC and GSA have determined that the Proposed Action Alternative is the Environmentally Preferable Alternative.

The Proposed Action Alternative would result in a wide range of long-term beneficial impacts, including the removal of any existing soil contamination from the Site; likely reduction in stormwater runoff; more efficient use of a disturbed, currently underutilized urban site; aesthetic improvements; and beneficial economic impacts. None of these beneficial impacts would occur under the No Action Alternative.

Furthermore, the Proposed Action Alternative would not have adverse impacts that cannot be adequately mitigated or minimized. The majority of these adverse impacts would occur only during the construction stage of the proposed action and cease when construction is complete.

For these reasons, the Proposed Action Alternative is the Environmentally Preferable Alternative.

Rationale for CDC's Decision

CDC selected the Proposed Action Alternative, which is also the Environmentally Preferable Alternative, for implementation because it is the only alternative that addresses the purpose and need for a new, consolidated campus in Cincinnati for NIOSH. Under the No Action Alternative, NIOSH would have to continue using its existing facilities for the foreseeable future and none of the shortcomings that adversely affect NIOSH's achievement of its scientific mission would be remedied.

Consultation with federal, state, and local agencies, as well as public scoping and public review of the Draft EIS indicate that the project is not controversial and that it is supported by the local community and the City of Cincinnati.

Mitigation and Minimization Measures

All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. CDC will implement the following measures to mitigate or minimize the impacts of the project on the environment:

Land Use, Zoning, and Plans

To the maximum extent practicable, CDC will design the new campus consistent with applicable State of Ohio and City of Cincinnati requirements, including but not limited to those pertaining to landscaping, open space, building setbacks, and maximum height of buildings. CDC and GSA will coordinate with the City of Cincinnati to vacate Hickman Avenue in accordance with established city procedures. For activities that will directly affect areas outside the Site, including but not limited to utility relocation or connection, and points of ingress and egress, applicable local requirements will be met.

Utilities and Infrastructure

CDC or CDC's contractor on its behalf will consult with utility providers during the design phase. In the construction phase, CDC will require the contractor to minimize any temporary utility service disruptions to the greatest extent feasible, especially for adjacent hospital facilities. CDC will impose a Project Activity Review (PAR) process to ensure the contractor's planning is sufficient to prevent unnecessary disruptions and to minimize unavoidable ones.

Visual Quality

During the construction phase of the project, the Site will be fenced to screen construction activities from view from the surrounding streets and sidewalks. As much as is compatible with security requirements, the permanent perimeter fence will afford views to the campus's landscaped buffer areas and main facilities from the surrounding streets and sidewalks. The final campus design includes a parking structure adjacent to Ridgeway Avenue. This structure will be designed to be visually compatible to the extent feasible with the residential area on the north side of Ridgeway Avenue.

Cultural Resources

During the construction phase of the project, an OHPO-approved *Archaeological Monitoring and Unanticipated Discovery Plan* will be implemented. The plan is incorporated by reference in this ROD. The plan will be incorporated in the construction contractor's contractual requirements by the Statement of Work and Specification Section (Archaeological Monitor).

The major elements of the monitoring plan are summarized below:

- Upon identification of a potentially significant archaeological resource, the Archaeological Monitor – meeting the Secretary of the Interior's professional qualification standards – will briefly halt construction in the vicinity of the find (i.e., per specification within the Statement of Work, will stop work) and determine if the unanticipated discovery plan (UDP) should be implemented. This will involve consultation with OHPO to determine the most appropriate manner in which to adequately test/investigate the resource, unless the deposit/feature can be avoided *in situ* without any further disturbance during the rest of the construction phase.

- For the purposes of the monitoring plan, "potentially significant archaeological resource" is defined in the following manner:
    - Prehistoric artifacts (with the exception of isolated findspots) and/or features.
    - Intact, *in situ* historic-era deposits that appear or are confirmed to pre-date the intensive development and occupation phase of the Avondale residential community (effectively, pre-1900).
    - Unique 19th - or early/mid-twentieth-century features that may contain sealed (and, therefore, intact) archaeological deposits such as wells, cisterns, privies, etc.
- In the event historic residential building remnants (i.e. foundations) dating to the 20th-century are encountered, the Archaeological Monitor will document the exposed structural remains without implementation of the UDP. Following documentation, the Archaeological Monitor will lift the stop work order to allow construction activities to resume at that location.
- Artifacts and debris from 20th-century and modern demolition of residential and commercial structures will be documented by the Archaeological Monitor and a representative sample collected without implementation of the UDP. Following documentation, the Archaeological Monitor will lift the stop work order to allow construction activities to resume at that location.
- Isolated findspots, disturbed deposits, fill debris, and other ubiquitous components of the 20th-century and modern occupation of the Site will be documented without implementation of the UDP. Following documentation, the Archaeological Monitor will lift the stop work order to allow construction activities to resume at that location.
- All excavations will be documented with photographs, profile and planview maps, and standard field forms.
- Artifacts collected during the archaeological investigation will be returned to an archaeological laboratory for analysis. If large amounts of construction material are observed, the frequency, count, and weight will be documented, and the materials will be subsequently discarded and removed from the Site, unless there is an evident diagnostic attribute, such as a maker's mark.

The major elements of the UDP are as follows:

- Construction activities in the immediate area of an unanticipated discovery will be halted.
- CDC, or the Archaeological Monitor will notify OHPO of the unanticipated discovery and, in the event of human remains, the Hamilton County Coroner and Sheriff. These notifications will take place within 24 hours of the unanticipated discovery of potentially significant archaeological deposits or in the event of the discovery of human remains.
- Specific OHPO instructions concerning the protection and documentation of the unanticipated discovery will be followed. This may involve archaeological work to be performed on the unanticipated discovery location to stabilize deposits; protection of the deposits from scavengers or looters; and collection of readily available samples (e.g., for radiocarbon dating) that may help pinpoint the age of deposits.

- CDC and the Archaeological Monitor will further consult with OHPO to determine and implement any additional measures deemed necessary subsequent to the initial archaeological work. This may involve further archaeological study or consultation with federally recognized Indian tribes or other parties with established, relevant cultural affiliation. Construction activities in the area of a specific unanticipated discovery will remain halted until the CDC and OHPO agree that it may proceed.
- In the case of unanticipated discovery of human remains, the following steps will be taken:
    - Work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
    - Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
    - The County Coroner/Medical Examiner, local law enforcement, CDC, and OHPO will be notified immediately. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.
    - If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. CDC will consult OHPO and appropriate federally recognized Indian tribes or other groups to develop a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA).
    - If human remains are determined to be archaeological but non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Consultation with CDC, OHPO, and other appropriate parties will be required to determine a plan of action. Historic research and consultation with local authorities and historic experts will be conducted to try to determine the possible identity and affiliation of the remains and determine if there are any lineal descendants who should be consulted concerning the treatment of the remains. Notice of the discovery will be published in local media outlets for at least three days to assist in identification of lineal descendants.

Transportation

CDC will exchange with the City parcels directly adjacent to the Site along the east side of Harvey Avenue, including an approximately six-foot-wide strip of land between Ridgeway Avenue and Martin Luther King Drive East. CDC will demolish the existing sidewalk and then rebuild the sidewalk six feet to the east, maintaining the existing sidewalk width. CDC will patch the created gap with asphalt, allowing the City to widen Harvey Avenue from 44 to 50 feet curb to curb.

CDC will also exclude from the proposed acquisition enough land in the northeast corner of the Site to widen the intersection of Ridgeway Avenue and Reading Road by rebuilding the sidewalk to the south of its current alignment and patching the widened roadway with asphalt.

Additionally, CDC will ensure that its construction contractor:

- Coordinates all required temporary and permanent bus stop relocations with Southwest Ohio Regional Transportation Authority (SORTA)/Metro.
- Provides clear signage and safe alternative routes for pedestrians and bicyclists during all temporary closures of sidewalks, trails, or traffic lanes.
- Coordinates all temporary lane closures with the City of Cincinnati Department of Transportation and Engineering.

Geology, Topography, and Soils

CDC's contractor will be required to comply with all applicable land disturbance permitting requirements, including obtaining coverage under Ohio's National Pollutant Discharge Elimination System (NPDES) General Permit Renewal for Discharges of Storm Water Associated with Construction Activity (OHC000004), as is required for projects disturbing one or more acres of land. A stormwater pollution prevention plan will be prepared and best management practices will be implemented in compliance with the permit.

During design, CDC's contractor will include requirements to address radon accumulation beyond levels that exceed EPA health recommendations in the new structures, and incorporate such measures in their design, as appropriate.

Air Quality

CDC will ensure that its contractors or subcontractors design and implement measures to minimize pollutant emissions during construction of the campus. These measures may include, but are not limited to:

- Watering during demolition or excavation activities
- Covering stockpiled debris or soil
- Covering truck loads
- Seeding areas of exposed soils
- Conducting dust-heavy activities (such as demolition) on low-wind days (maximum wind speed to be determined)
- Siting construction equipment and staging zones that may generate dust as far from sensitive receptors as possible
- Idling time limits for trucks and heavy equipment

Noise

CDC will require its contractor to conduct all construction activities in accordance with applicable City of Cincinnati noise regulations. Additionally, the contractor will be required to develop and implement a noise monitoring program to take real-time measurements of noise levels at select sensitive receptors

along the Ridgeway Avenue limits of construction to verify that noise levels remain within the range defined as permissible by the City's noise regulations.

If exceedances are detected, the contractor will be required to implement further noise reduction measures per the City noise regulations.

Hazardous Substances

CDC and its GSA partner are in the process of completing a Phase II Environmental Site Assessment and National Emissions Standards for Hazardous Air Pollutants (NESHAP) survey before the beginning of any construction to confirm and characterize the extent of any existing contamination through field sampling and analysis. Contaminated media (e.g., soils) and other environmental hazards (e.g., asbestos-containing materials, lead-based paint) will be removed and disposed of by CDC's contractor in accordance with applicable federal, state, and local laws and regulations. All contaminated materials will be disposed of at certified and permitted landfills for such materials.

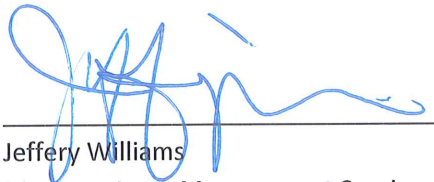
All activities pertaining to hazardous substances will be conducted in accordance with federal, state, and local laws and regulations; applicable permits; and NIOSH's rules and procedures.

Biological Resources

Tree clearing on the Site will be conducted between October 1 and March 31 to prevent the disturbance of the possible roosting areas of the Indiana Bat (*Myotis sodalis*). If it is not practicable to clear trees during this timeframe, a field study will be required to ascertain if there are roosting bats present in these trees and a biologist will determine a plan to remove them prior to tree clearing activities.

Availability of the Final EIS

The Notice of Availability of the Final EIS was published in the Federal Register on July 20, 2018.



Jeffery Williams
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Office of Safety, Security and Asset Management (OSSAM)
Centers for Disease Control and Prevention (CDC)

8/21/18
Date